

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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EDWARD BURGESS

Plaintiff,

v.

Civil Action No.  
9:08-cv-725 (GLS/DRH)

GLENN CHAMPAGNE, Facility Health  
Service Director; DR. CAHILL, Facility  
Director; LOUISE TICHENOR, DR.; and  
MR. BOYEA, Inmate Grievance Program  
Supervisor,

Defendants.

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APPEARANCES:

OF COUNSEL:

**FOR THE PLAINTIFF:**

EDWARD BURGESS  
Plaintiff *Pro Se*  
524 Mellon Street  
Pittsburgh, Pennsylvania 15206

**FOR THE DEFENDANTS:**

HON. ERIC T. SCHNEIDERMAN  
Attorney General of the  
State of New York  
The Capitol  
Albany, New York 12224-0341

MEGAN M. BROWN, ESQ.  
Assistant Attorney General

GARY L. SHARPE,  
U.S. DISTRICT JUDGE

**ORDER**

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge David R. Homer, duly filed January 12, 2011. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED, that the Report-Recommendation of Magistrate Judge David R. Homer filed January 12, 2011 (Dkt. No. 48) is ACCEPTED in its entirety for the reasons state therein; and it is further

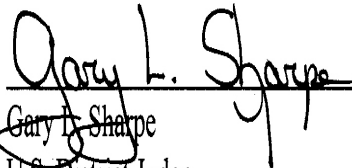
ORDERED, that defendants' motion for summary judgment (Dkt. No. 41) is GRANTED in all respects as to all remaining claims and defendants; and it is further

ORDERED, that the Clerk of the Court is directed to issue a judgment closing this case; and it is further

ORDERED, that the Clerk of the court serve a copy of this order upon the parties to this action.

IT IS SO ORDERED.

Dated: February 3, 2011  
Albany, New York

  
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Gary L. Sharpe  
U.S. District Judge